

103D CONGRESS  
1ST SESSION

# **H. R. 3350**

## **AN ACT**

To establish a program of residential substance  
abuse treatment within Federal prisons.

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## AN ACT

To establish a program of residential substance abuse treatment within Federal prisons.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SUBSTANCE ABUSE TREATMENT IN FEDERAL**  
4 **PRISONS.**

5 Section 3621 of title 18, United States Code, is  
6 amended—

7 (1) in the last sentence of subsection (b), by  
8 striking “, to the extent practicable,”; and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(e) SUBSTANCE ABUSE TREATMENT.—

12 “(1) PHASE-IN.—In order to carry out the re-  
13 quirement of the last sentence of subsection (b) of  
14 this section, that every prisoner with a substance  
15 abuse problem have the opportunity to participate in  
16 appropriate substance abuse treatment, the Bureau

1 of Prisons shall provide substance abuse  
2 treatment—

3 “(A) for not less than 50 percent of eligi-  
4 ble prisoners by the end of fiscal year 1995,  
5 with priority for such treatment accorded based  
6 on an eligible prisoner’s proximity to release  
7 date;

8 “(B) for not less than 75 percent of eligi-  
9 ble prisoners by the end of fiscal year 1996,  
10 with priority for such treatment accorded based  
11 on an eligible prisoner’s proximity to release  
12 date; and

13 “(C) for all eligible prisoners by the end of  
14 fiscal year 1997 and thereafter, with priority  
15 for such treatment accorded based on an eligi-  
16 ble prisoner’s proximity to release date.

17 “(2) INCENTIVE FOR PRISONERS’ SUCCESSFUL  
18 COMPLETION OF TREATMENT PROGRAM.—

19 “(A) GENERALLY.—Any prisoner who, in  
20 the judgment of the Director of the Bureau of  
21 Prisons, has successfully completed a program  
22 of residential substance abuse treatment pro-  
23 vide under paragraph (1) of this subsection,  
24 shall remain in the custody of the Bureau for  
25 such time (as limited by subparagraph (B) of

1 this paragraph) and under such conditions, as  
2 the Bureau deems appropriate. If the conditions  
3 of confinement are different from those the  
4 prisoner would have experienced absent the suc-  
5 cessful completion of the treatment, the Bureau  
6 shall periodically test the prisoner for substance  
7 abuse and discontinue such conditions on deter-  
8 mining that substance abuse has recurred.

9 “(B) PERIOD OF CUSTODY.—The period  
10 the prisoner remains in custody after success-  
11 fully completing a treatment program shall not  
12 exceed the prison term the law would otherwise  
13 require such prisoner to serve, but may not be  
14 less than such term minus one year.

15 “(3) REPORT.—The Bureau of Prisons shall  
16 transmit to the Committees on the Judiciary of the  
17 Senate and the House of Representatives on Janu-  
18 ary 1, 1995, and on January 1 of each year there-  
19 after, a report. Such report shall contain—

20 “(A) a detailed quantitative and qualitative  
21 description of each substance abuse treatment  
22 program, residential or not, operated by the  
23 Bureau;

24 “(B) a full explanation of how eligibility  
25 for such programs is determined, with complete

1 information on what proportion of prisoners  
2 with substance abuse problems are eligible, and

3 “(C) a complete statement of to what ex-  
4 tent the Bureau has achieved compliance with  
5 the requirements of this title.

6 “(4) AUTHORIZATION OF APPROPRIATIONS.—  
7 There are authorized to be appropriated in each fis-  
8 cal year such sums as may be necessary to carry out  
9 this subsection.

10 “(5) DEFINITIONS.—As used in this  
11 subsection—

12 “(A) the term ‘residential substance abuse  
13 treatment’ means a course of individual and  
14 group activities, lasting between 6 and 12  
15 months, in residential treatment facilities set  
16 forth from the general prison population—

17 “(i) directed at the substance abuse  
18 problems of the prisoner; and

19 “(ii) intended to develop the pris-  
20 oner’s cognitive, behavioral, social, voca-  
21 tional, and other skills so as to solve the  
22 prisoner’s substance abuse and related  
23 problems; and

24 “(B) the term ‘eligible prisoner’ means a  
25 prisoner who is—

1                   “(i) determined by the Bureau of  
2                   Prisons to have a substance abuse prob-  
3                   lem; and

4                   “(ii) willing to participate in a resi-  
5                   dential substance abuse treatment pro-  
6                   gram.”.

Passed the House of Representatives November 3,  
1993.

Attest:

*Clerk.*